

IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF ILLINOIS

DAVID ROBERT BENTZ,

Plaintiff,

vs.

KEVIN GRAVES, et al,

Defendants.

Case No. 18-cv-2217-DWD

NOTICE AND ORDER

DUGAN, District Judge:

This matter is before the Court for case management purposes. The Court screened Plaintiff's Complaint (Doc. 1) pursuant to 28 U.S.C. §1915A on September 25, 2019 ("Screening Order") (Doc. 10). Pursuant to the Screening Order, Defendants B. Tripp, Brandon Smith, Robert Hughs, and William Reese were served with summons on September 25, 2019. (Docs. 19, 21, 23, and 37). Defendants' responsive pleadings were due on November 25, 2019. As of this date, Defendants have failed to move, answer, or otherwise plead in response to the Complaint.

The Federal Rules of Civil Procedure provide that the Clerk of Court must enter default against a defendant who has failed to plead or otherwise defend. Fed. R. Civ. P. 55(a). Accordingly, the Court **ORDERS** as follows:

- (1) The Clerk of Court is **DIRECTED** to **ENTER DEFAULT** against Defendants Tripp, Smith, Hughs, and Reese in accordance with Federal Rule of Civil Procedure 55(a).

- (2) Plaintiff is **ORDERED** to move for default judgment against Defendants Tripp, Smith, Hughs, and Reese on or before **February 3, 2021**, in accordance with Federal Rule of Civil Procedure 55(b).
- (3) If Plaintiff fails to move for default judgment as set forth in this Order, this entire action will be dismissed as to each Defendant for failure to prosecute and/or failure to comply with an order of the Court.
- (4) The Clerk of Court is **DIRECTED** to transmit a copy of this Order and the entry of default to Plaintiff and to each individual Defendant.

**SO ORDERED.**

Dated: January 13, 2021

The image shows a handwritten signature in black ink that reads "David W. Dugan". The signature is written over a circular official seal. The seal features an eagle with spread wings in the center, surrounded by the text "UNITED STATES DISTRICT COURT" at the top and "SOUTHERN DISTRICT OF ILLINOIS" at the bottom.

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DAVID W. DUGAN  
United States District Judge